

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, 4-9, and 11-53 are pending, Claims 1, 8, and 15 having been amended, Claims 3 and 10 having been canceled without prejudice or disclaimer by the present amendment, and Claims 35-53 having previously been withdrawn from consideration. Claims 1, 8, and 15 are amended to include the elements of Claims 3 and 10, without adding new matter.

In the outstanding Office Action, Claims 1-19, 21-28, and 30-34 were rejected under 35 U.S.C. §103(a) as unpatentable over Bhukhanawala (U.S. Patent No. 5,831,617).

Applicants respectfully traverse the outstanding ground of rejection because the outstanding Office Action fails to provide a *prima facie* case of obviousness by asserting prior art that, no matter how the prior art references are combined, does not teach every limitation of independent Claims 1, 8, and 15, as amended.

To establish a *prima facie* case of obviousness, M.P.E.P. §2143 requires that three criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the references teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claim elements.

Amended Claim 1 is directed to an information processing apparatus including a storage means for storing a pre-set processing unit. The pre-set processing unit is an electronic label that is configured to be displayed as a graphical image on a display and occupying a predetermined area on the display. The pre-set processing unit is also configured to have a user-selectable object information having different attributes and time

information associated therewith. The object information is displayed in the predetermined area when the electronic label is displayed. There is regenerating means for regenerating a state of the pre-set processing unit associated with a predetermined date and time based on the time information. The state of the pre-set processing unit is indicative of what object information is associated with the preset processing unit as a function of time. There is a determination means for determining a variation between the attributes concerning the pre-set processing unit at a first time point and the attributes concerning the pre-set processing unit at a second time point. The storage means stores the variation. The regenerating means regenerates the state of the pre-set processing unit based on the time information and the difference information. This configuration allows a deleted label to be regenerated.¹

Amend Claim 1 recites "...determination means for determining a variation between the attributes concerning said pre-set processing unit at a first time point and the attributes concerning said pre-set processing unit at a second time point...." Bhukhanwala does not teach or suggest this element of Claim 1.

Bhukhanwala is directed to a device that provides the "feel" for temporal relations of icons.² By including different files in a "movie icon," the temporal order of different variations of the icon may be viewed. In this way, the user when looking for older or newer versions of the file can "rewind" or "forward" the movie icon by a specified amount of time.³ The user creates the movie icon by filing different versions of the file using the "save as" feature of an image editing program.⁴

Bhukhanwala describes moving between frames according to date.⁵ The date of the next frame is obtained by adding/subtracting (depending on the direction of browsing) a time

¹ Specification, page 2, line 20-21.

² Bhukhanwala, col. 1, lines 42-43.

³ Bhukhanwala, col. 2, lines 25-28.

⁴ Bhukhanwala, col. 6, lines 16-18.

⁵ Bhukhanwala, col. 8, lines 11-16.

ratio from/to the current date.⁶ The time ratio is related to the use of the “rewind” and “forward” functions when accessing older and newer versions of the file. Bhukhanwala does not determine variations between the attributes of the pre-set processing unit at two different times. Bhukhanwala does not determine variations between the older and newer versions of the file, but rather only moves, in time, between older and newer versions of the file.

Therefore, Bhukhanwala does not teach or suggest the claimed “determination means for determining a variation between the attributes concerning said pre-set processing unit at a first time point and the attributes concerning said pre-set processing unit at a second time point.”

In addition, Bhukhanwala does not teach or suggest the claimed “said storage means storing the variation information.” Bhukhanwala only describes how a user may access an older or newer version of a file by using “rewind” or “forward” functions.⁷ When using the “rewind” or “forward” functions, the frames are navigated in a “movie like fashion.”⁸ Thus, Bhukhanwala does not teach or suggest storing information about the variations between the attributes of the pre-set processing unit at two different points in time.

Furthermore, Bhukhanwala does not teach or suggest “said regenerating means regenerating the state of said pre-set processing unit based on said time information and said variation information.” The “rewind” and “forward” functions of Bhukhanwala do not rely on variation information when a user accesses older or newer information.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and dependent Claims 2, and 4-7) patentably distinguish over Bhukhanwala. Furthermore, Applicants respectfully submit that Claims 8 and 15 (and dependent Claims 9, 11-14, and 16-34) patentably distinguish over Bhukhanwala for at least the reasons given for Claim 1.

⁶ Id.

⁷ Bhukhanwala, col. 2, lines 25-27.

⁸ Id.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\JW\203738US\203738US_AM.DOC